

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Gilbertson *et al.*

Serial No.: 10/821,711

Filed: April 8, 2004

For: DNA CONSTRUCTS AND METHODS
TO ENHANCE THE PRODUCTION OF
COMMERCIALY VIABLE
TRANSGENIC PLANTS

Group Art Unit: 1638

Examiner: David H. Kruse

Atty. Dkt. No.: MONS:140US

CERTIFICATE OF ELECTRONIC TRANSMISSION
37 C.F.R. § 1.8

I hereby certify that this correspondence is being
electronically filed with the United States Patent and
Trademark Office via EFS-Web on the date below:

July 9, 2009

Date

Ron J. Laby

TELEPHONIC INTERVIEW SUMMARY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

On February 18, 2009 and March 3, 2009, Applicants' undersigned representative spoke telephonically with Examiner Kruse regarding rejections of claims 1-4, 10, 11, 15, 25, and 26 in view of 35 U.S.C. §103, and rejoinder of claims 20 and 22, in view of Ye *et al.* (*Transgenic Res.* 17:827-838, 2008).

Agreement was reached regarding allowability of the claims. Applicants would like to thank the Examiner for the time taken for the call.

Respectfully submitted,

/Ron J. Laby/

Ron J. Laby
Reg. No. 53,173
Agent for Applicants

Sonnenschein Nath & Rosenthal, LLP
2000 McKinney Ave., Suite 1900
Dallas, Texas 75201-1858
(214) 259-0900

Date: July 9, 2009